

in the Senate. As my colleague who worked so closely with me on this legislation, the Senator from New Jersey, has said, we are committed to bringing this bill to a vote this year and getting it done in a fashion that will show the bipartisanship that has operated throughout this year to bring us a 14-4 vote out of the Senate Judiciary Committee, to duplicate that wide margin on the floor of the Senate, to send a clear signal to people who use bankruptcy as financial planning that if you have the ability to pay, you are never going to get out of paying what you have the capability of paying. That is good for our country, it is good for the economy and, most important, it is good for the pocketbooks of honest Americans. Bankruptcies cost the average American family to the tune of \$400 a year. That's not fair to the American men and women working to pay taxes and make a better life to have to pay \$400 more per year because somebody else isn't paying their debts.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2000

The PRESIDING OFFICER. Under the previous order, the clerk will report the resolution by title.

The legislative assistant read as follows:

A joint resolution (H.J. Res. 68) making continuing appropriations for the fiscal year 2000, and for other purposes.

Mrs. BOXER. Mr. President, will the Presiding Officer explain what is before the Senate.

The PRESIDING OFFICER. House Joint Resolution 68 is before the Senate.

Mrs. BOXER. Mr. President, as I understand it, that resolution is the continuing resolution that will keep the Government running for the next 3 weeks based on the 1999 spending figures; am I correct?

The PRESIDING OFFICER. The Chair will not interpret the content of the legislation. However, that is the topic of the resolution.

Does the Senator seek recognition?

Mrs. BOXER. I do. I yield myself such time as I may consume from the Democratic leader's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I think we have reached a moment on the floor of the Senate that ought to be marked. Very sadly, it is a moment of failure for this Republican Congress, a mo-

ment of failure after promising a moment of success.

Why do I say that? There were three promises made by the Republican leader to the people of the United States of America. The first promise was that the spending bills, all 13 of them, would pass on time and within the context of the balanced budget; the second promise was that the Republicans would not touch the Social Security trust fund to pay for their programs; the third promise was that they would stay under the spending caps that were approved before.

In my opinion and in the opinion of many others, all three of those promises are being broken. In the lead story in the New York Times today, we read about the shenanigans going on in trying to get this budget accomplished.

I have proudly served on the Budget Committee in the Senate for 7 years; in the House, I served on the Budget Committee for a total of 6 years. I know there have been times when neither side has performed as it should. However, I never, ever remember it being this bad. I never, ever remember it being this chaotic. It is very sad because the rest of the country is doing great fiscally. This is the best economic recovery we have had. In my lifetime, these are the best statistics I can remember for low unemployment, low inflation, high home ownership. Things are going really well. Yet in that context, when things are going really well, we cannot get our act together around here. I have to say it is a failure of Republican leadership.

What is before us today is a bill that will continue the functions of Government for the next 3 weeks because, out of the 13 spending bills, only 1—only 1—has received a signature from this President. Therefore, we have to have a continuing resolution or the Government will shut down. I understand that. But let me simply say this. I think the reason my Republican friends are in so much trouble—and I hope some of them will come to the floor because this is their continuing resolution; I assume they are on their way so we can have a little bit of a debate here—I think the reason the Republicans are in so much trouble is, they have locked out the President, they have locked out the Democrats, and they are coming up with plans that are out of touch with reality and with what the American people want.

Let me give an example. Everyone around here says children are a priority and education is a priority. Yet the last bill my Senate friends have looked at in the Appropriations Committee, the one they saved until last, is education. HHS—Health and Human Services—includes education.

Why do I say the Republicans are out of step with the American people? I say it based on three simple facts.

There is nothing in that bill, not one penny, to continue to put teachers in

the schools and to lower class sizes—nothing, not a penny, not even to continue what we started last year when Senator MURRAY and the President of the United States of America put before us a very important program to place 100,000 teachers in the schools.

Last year, as a result of our getting together, we compromised at 30,000 teachers. To be exact, 29,000 teachers have been hired under this program. There is not one penny in this education bill to continue that program. We were hoping we would have funding to continue the 29,000 and go forward with the rest of the 100,000. We know that when there are smaller class sizes, kids do much better. We know that. It is a fact. It is indisputable. Yet in their Republican budget, not only do they not expand this program but they do not put one penny in to pay for the 29,000 teachers all over the country who are already in the classroom. This Republican budget is a pink slip for 29,000 teachers. How does that comport with what the American people want? How does that comport with the reality the American people expect from us? It does not.

Another thing the American people say they want from us is to rebuild our crumbling schools. You do not have to have a degree in education or sociology to understand our schools are falling down. What kind of message is it to our children when we say how important education is in this global marketplace and their parents are telling them how important it is, and they walk into school, and what happens? The ceiling tiles are falling down on their heads. I saw it in Sacramento, CA. I saw it in Los Angeles County. Yesterday, the President was in a Louisiana school. He saw the same thing. We need to make sure we rebuild our crumbling schools. That is another issue the American people want resolved.

Third, after school; I have brought the issue of after school to the Senate for many years. I am very pleased to say we are moving forward. But we have thousands and hundreds of thousands of children on waiting lists for afterschool programs.

Why are they important? Because we know in many cases parents work and kids get in trouble after school. We know when they have good afterschool programs, they learn, they get mentoring, the business community comes in, the police community comes in, they learn about the dangers of drugs, they can get help with their homework, and they do important things. I have been to some fantastic afterschool programs, and I have seen the look on the kids' faces. I tell you, they are doing well. Studies show they improve their academic performance—by 80 percent in one particular program in Sacramento—if they have afterschool.

What does the Republican education budget do for after school? It comes in

\$200 million below the President's request. What that means is that 387,000 children will be denied after school.

What I am saying is, we have a budget situation that is out of touch with what the American people want. I am just giving three examples—teachers in the schools, school construction, after-school programs. Those are just examples. Guess how they pay for it. As I understand it—and it keeps changing every day—essentially they tap into the Social Security trust fund. They do it in a dance, and a bob and a weave that is impressive, but I understand it.

What I understand they are going to do is take \$11 billion in authorizing funds out of the defense budget—OK?—and put it into education. Follow me on this. And then, as soon as they have done that, they declare that \$11 billion of defense spending is an emergency. That is the way they get around the caps.

There is only one problem: It comes out of the Social Security trust fund. All emergency spending comes out of the Social Security trust fund. So, yesterday what was not an emergency in the military budget today will become an emergency, and the Social Security fund will be raided. I have to say, this is gamesmanship.

I think what we ought to do is pay as you go around here. If we want to spend more, we ought to pay for it. That is why the President's budget had well over \$30 billion of offsets to handle the new requirements. It doesn't dip into the Social Security trust fund, and it doesn't play shell games between defense and domestic priorities.

So here we are going to have a continuing resolution to get us through these next 3 weeks. I truly have not decided whether I am going to vote for it or not because, on the one hand, I understand we are coming down to the end of the fiscal year and we have to continue the Government; on the other hand, I believe, as the Senator from the largest State in the Union, the way they are doing this budget around here is something I do not want my fingerprints on. I really do not. I do not approve of it. I think it is wrong. I do not think it is honest. I do not think it is direct with the people. I do not think it is fiscally responsible. I think it takes us down the road we do not want to go down. I don't want more smoke and mirrors. We have had enough of that on both sides of the aisle. We are finally getting on our fiscal feet. We ought to stay on our fiscal feet.

I just want to say to my friends, I have a solution to their problem—because they are having problems on this. If they will open the door to this President and work with him on some compromises here, we can finish our work and be proud and go home. Will everyone get what he or she wants? No. That is what compromise is. But we will each get maybe halfway there, and

we can feel good about ourselves, that we have reached across the party lines. This President has his strong priorities. The Republican Congress has its strong priorities. I think if they add to that the Democratic leadership here, Senators DASCHLE and REID, and then on the House side Congressman GEPHARDT, Congressman BONIOR, and the other leaders, of both sides, I think we will find we can do business together.

One of the reasons I hesitate to vote for this continuing resolution is, as I said, I am not sure I want my fingerprints on what has happened so far. On the other hand, it is not too late. In the next 3 weeks, we could open up the doors. We could have a summit. We could bring everyone to it. We could all lay out what we want to have happen, show the American people we are willing to put them in front of politics, and come out with something we can be proud of, a true education plan that is going to meet their needs, a budget that is in balance, both in its actual numbers and in its priorities. I think we can go home and be very proud of ourselves.

I was on my feet for many hours last week over an issue called oil royalties. It is very interesting, in this continuing resolution, that moratorium on fixing the oil royalty problem is nonexistent. It is possible that the Interior Department could issue rules and stop the thievery that is going on. I hope they will do it. I really hope they will do it.

Talk about needing money. We estimate that \$66 million a year is being lost out of the coffers because the oil companies are not paying their fair share in oil royalties. We had a vote on this, a very close vote. Senator HUTCHISON was able to defeat me by 1 vote on the cloture vote, and I think the final vote was 51-47. I was unable to defeat her on the substance of her amendment. But JOHN MCCAIN wrote in and said he would have voted with me, which would have made it 51-48.

I hope Bruce Babbitt is watching this and he will take advantage of this 3-week hiatus we have in front of us where he is now able to fix this problem. I hope he will do it. I really appreciate the editorials across the country saying we have exposed a real scam and it ought to be fixed. I hope, again, if Secretary Babbitt is listening, perhaps he will do something good in these 3 weeks and move forward to resolve that issue.

Be that as it may, that is a relatively small issue compared to keeping this Government going. I know we will keep this Government going with or without my vote. We will move it forward. I once more appeal to my colleagues: You made three promises, you have not kept them. Why not open the door and see if we can help you out because you cannot obviously come to this decision on your own. You have not done the

bills on time, you are dipping into Social Security, and, in essence, you are bypassing the caps by calling things emergency spending today that did not warrant emergency spending yesterday. Why don't we stop the smoke and mirrors and shell games? Why don't we pass a budget that reflects all of us to a certain degree.

In the House of Representatives, there are only 11 votes that separate Republicans and Democrats. I have been over there. I was over there when we were in the majority. We probably had a 50-, 60-seat majority. The Republicans have an 11-seat majority in the House and a 10-seat majority in the Senate. They run the place. That is the way it is. Even if they had a 1-vote majority, they would run the place. I accept that. That is how the voters wanted it. But it is kind of tough when it is that close to do the right thing unless we all sit down together.

We have good people on both sides of the aisle. I have so many friends on the other side of the aisle whom I respect very much, including the Presiding Officer with whom I have worked on many issues. There is no reason why we cannot sit down in these next 3 weeks and find the answers and make the compromises. But we are never going to do it if we put politics ahead of bipartisanship. That is my plea before we have a vote.

I thank the Chair very much for his patience. I know it is sometimes hard to sit there and listen, and he has done that in a very fine way.

I yield the floor and, of course, retain the remainder of the leader's time on this side. I suggest the absence of a quorum, and I ask unanimous consent that it be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I yield myself as much time as I may consume from the Democratic leader's time.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. I thank the Chair.

Mr. President, I very much appreciate the opportunity to speak on what I consider is perhaps the most important issue facing us, and that is the future of our educational system.

Everywhere I go in my State people are worried about the future of our education system. They are worried in the inner city; they are worried in the wealthy suburbs; they are worried in the rural areas; they are worried in the upstate cities. Everywhere we go, people are worried and concerned.

Their gut feeling, as usual with the American people, is right. They know we are entering a profound new time where ideas generate wealth. Alan Greenspan I thought put it best. He said: High value is added no longer by moving things but by thinking things.

America, God bless us, does very well in this type of ideas economy. In fact, if one looks at probably a core sentence at the very key of our existence as Americans, it is competition of ideas. That is what the Founding Fathers fought for, that there could be a free and open competition of ideas, free speech, or in the spiritual sense, which is freedom of religion, or in a business sense which is capitalism, free enterprise, or in a political sense, which is democracy, all of which are at the core of this country.

In general, we are doing extremely well as an economy because we believe in the competition of ideas. It does not matter who you are, from where you come; if you have a good idea, you can either go out and make money or become an author or professor or whatever. It works. But when our world is becoming so focused on the competition of ideas and ideas in general, we cannot afford to have a second-rate educational system. When I read that we are 15th, say, in math of the 25 or 22 developed countries, or we are 18th in biology or 12th in geography, I worry, and I think every American worries, whether they voice it in these terms or in other terms.

We face a real problem, and that is the future of our educational system. It is not the best.

I can imagine a country, let's say an imaginary country, of, say, 20 million citizens, many fewer than we have. It can be a complete desert: No fertile fields, no wealth in the mines, but if they had the best educational system and churned out top-level people, they could become the leading economy in the world.

We have an imperative to create not the second best, not the third best, not the fourth best, but the best educational system in the world.

We have pockets of excellence. I have seen them in my State. But we also have pockets—broader than pockets, we also have broad plains of schools that are not the best. I say this as somebody who is a father of two daughters who are both in public schools in New York City. One is 15 and one is 10. They are getting a good education. My wife and I do everything we can to see that the education is the best. But every parent and every grandparent and every young person worries about the future of our educational system.

With the Education, Labor and HHS conference report, one of the first things I look at, perhaps the first, is how is it for education?

At first glance, it does not look too bad. Funding levels are marginally bet-

ter than last year on some of the major school programs. When you consider how contentious this bill can be, at first glance it seems this is a pretty fair, good-faith effort. But then there is the fine print. When you get to the fine print, it is frustrating and maddening. It is not a good bill for education. If we care about our country's future, our children and our grandchildren, we will not support a proposal that is as weak as it is on education.

The most egregious item in the bill is the so-called teacher assistance initiative. This is our program to hire 100,000 new teachers. There is funding in the bill of \$1.2 billion. That is all great, except when you read the fine print. It says this money is subject to authorization. To the average citizen, it means this money is not there at this point in time.

We all know we are not going to authorize this program this year. So money for new teachers will disappear at a time when we need better quality teachers. I have introduced a "Marshall Plan" for education focusing on the quality of teachers. At a time when we need to reduce class size, what we are doing is taking away money that would now exist, and then we are afraid to say so.

So we put in this chimerical program which says the money is here, and then it isn't. The language for this program is designed, in short, not to hire teachers but to fool parents; it is a bait and switch, because what is really going to happen to the \$1.2 billion for new teachers is that it is going to be spent on something else. Who knows what it will be. It could be on anything. But it will not be on teachers.

What disturbs me is that the shortage of good, qualified teachers is reaching crisis proportions. Half of our teachers are at retirement age; too few new teachers are taking their place; and in today's world, where the success of an individual depends more on the content of their mind than on the strength of their back, we cannot continue this holding pattern on education.

But this proposal is not just a holding pattern. It is worse. It is a step backward because last year we made the initial downpayment on the hiring of 100,000 new teachers, and this year we are leaving cities and towns across the country in the lurch.

It is a shame. It is a shame this bill makes a false promise that we are going to continue to fund this emergency teacher program, when we all know that unless the language in the bill is deleted, not a single dollar will be spent on new teachers.

I would ask our Senate leadership—plain and simple—to allow us to vote on this language.

There are two other problems with the education portion of this bill. The first is school construction—another

national crisis. We have inner city schools that are overcrowded. We have kids in the suburbs going to school in trailers.

I learned this firsthand from my own daughter when she was in kindergarten and went to an overcrowded school in my hometown of Brooklyn, NY. There were two classes in one kindergarten room on the day my wife and I went to Open School Day. We understood the difficulty because you had one class in one part of the room and one class in the other part of the room, and when our daughter's teacher was speaking, you could not understand her because you heard, in the background, the other teacher speaking in the other part of the classroom.

We have students in New York who are in temporary classrooms because either their suburban school districts or their city school districts are growing or because the decrepit buildings that were built 40, 60, and 80 years ago are in desperate need of repair.

Some might say, let the localities do all this. Have you ever seen the property taxes in localities throughout our States and large parts of our country? The local governments do not have the wherewithal for these kinds of major expenditures. So we can come up with some kind of rule that the Federal Government is not going to help, whereby this problem continues, or we can step into the lurch. I would like to step into the lurch.

Our school districts need Federal help. This bill offers nothing for school construction and is a grievous blow to our schools and our kids.

Last, there is no money for after-school programs. These are programs that help students with tutoring and help gifted students with advanced learning. It is also an important part of our strategy of keeping kids out of trouble by keeping them in schools so they are not marching around the streets or the shopping malls. There is nothing in this bill for them.

When I was a young man growing up in Brooklyn, I attended the Madison High School Afterschool Center and Night Center. I spent a lot of time playing basketball. I had fun. We were not very good. Our team's motto was: We may be small, but we're slow. But it kept me in constructive activity. It did not cost much. There is nothing in the bill for something like that.

Again, could the local school district do this? Yes; and some are able to. But with property taxes through the roof in so many districts—in the suburbs, in the cities, in rural areas—most school districts say they cannot afford it and they simply let the localities fend for themselves.

So there is nothing in this bill for students who need and want a place to go after the final bell rings.

In sum, this bill, which on first blush does not look too bad, is a real disappointment. Much of the promised

money is "phantom" money, and it saddens me because our education crisis is anything but "phantom."

The economic strength of this Nation, as I mentioned at the beginning of my little chat, is directly tied to the ability of our schools to produce young men and young women who are the best, who are innovative and creative and analytical, skilled in math and science and technology and communications.

Just today I introduced legislation with the Senator from Virginia, Mr. ROBB, and the Senator from Massachusetts, Mr. KERRY, and the Senator from Vermont, Mr. LEAHY, which talks about how we are using foreign workers for the most highly skilled professions because we do not have enough Americans to fill those positions. Let's make sure we have enough Americans 5 and 10 and 15 years from now to fill those positions. This bill does not do it.

In my view, we should be doing much more for our kids and for schools than what we would do in this bill, even if all the funding was real. This is the one place we should be spending more money. We should be spending it intelligently. We should be spending it with standards. I believe we should not have social promotion. I believe teachers should have standards and be tested and meet certain levels. But we should be spending it. This bill, even if the gimmicks were eliminated, basically treads water. With the gimmicks in it, it means we are drowning. I am disappointed we can't produce a bill that does more for our kids and, particularly, that there is funding here that we know is a phantom. The least we should do is make sure the 100,000 teachers provision is real and whole because our problems are not about to fade away.

We need to embark on a massive effort to improve education. If the Federal Government can help do that, I think we should.

Mr. DORGAN. Will the Senator yield for a question?

Mr. SCHUMER. I am happy to yield.

Mr. DORGAN. The Senator from New York talked about the 100,000 teachers program, the program to try to reduce class size all around this country and improve schools, improve learning as a result.

I came from a markup of the appropriations bill that will provide the resources for various education functions. We had a discussion in that markup on this subject. It is the case, as the Senator from New York indicates, that unless something affirmatively is done, we will come to the next school year and 25 or 30,000 teachers across this country, teachers in every State, will get a pink slip saying: You are not any longer hired under this program.

Last year, during the negotiation over the budget and appropriations be-

tween President Clinton and the Republicans and Democrats in Congress, a program was both authorized and funded that said it shall be the objective in this country to reduce class size and provide teachers to help accomplish that. Why? Because we know kids learn better in smaller classes. Does a kid have more attention from the teacher and more individualized instruction in a class with 15 or 16 students than with 30 students? The answer is, yes, of course. From study after study, in State after State, we understand it makes a difference in a child's education to reduce class size.

Unless this Congress continues to fund that effort, up to 30,000 teachers will be fired. Isn't it the case that this program was authorized last year and appropriated last year, almost 1 year ago now? And the bill that will come to the floor tomorrow, by the way, will propose that we not fund that, that we decide not to fund that program; isn't that the case? And isn't it the case that we will have to wage a fight on the floor of the Senate for an amendment that affirmatively says: We as a country want to retain and continue this objective of reducing class size to improve education and improve the opportunities of young children to learn in schools?

Mr. SCHUMER. Mr. President, I say to the Senator from North Dakota, he is right on the money, literally and figuratively—literally because, as I understand it, this proposal says they are going to use \$1.2 billion, the amount we need to continue the program of hiring 100,000 new teachers, but then it says only if it is authorized. The Senator may correct me if I am wrong, but I believe the program is not authorized and there is virtually no chance we will authorize it this year. Am I right about that?

Mr. DORGAN. The Senator from New York is correct. There is a circumstance in the markup document that we saw today, and that we took action on this afternoon, that says there will be money available, if authorized. But, of course, the authorization committee is not going to be on the floor reauthorizing elementary and secondary education. It sets up a circumstance where they know and we know they will not continue this program to reduce class size.

How do you reduce class size? You hire additional teachers. We don't have a large role in education at the Federal level. Most of elementary and secondary education is handled locally. Local school boards, State governments, and others decide the kind of education system they want. What we have done is establish national objectives. One of our objectives is to say we can improve education, we know how to improve education, if we can devote more resources to teachers in order to have more teachers and reduce class size.

Walk into a classroom bursting with 30 children. Then ask yourself, does that teacher have the same capability to affect each of those children's lives that a teacher who is teaching 15 children would have in the same classroom? The answer is, no, of course not. That is why this is so important.

There is nothing much more important in this country than education. Almost everything we are and everything we have been and almost all we will become as a country is as a result of this country deciding education is a priority, that every young child in this country shall have the opportunity to become the best they can be.

I walked into a school one day in North Dakota. I have told about it on the floor of the Senate. A little third grader—this was a school with almost all young Indian children—whose name was Rosie said to me: Mr. Senator, are you going to build us a new school? Regrettably, I couldn't say yes; I don't have the money. I don't have the authorization. I don't have the capability. But she needs a new school. One hundred and fifty kids, one water fountain, and two bathrooms crammed in a building that in large part is condemned. These kids need new schools. They need smaller classrooms, better teachers.

How do we do that? We devote resources to it. If we have \$792 billion to give in a tax cut over the next 10 years, maybe there ought to be some money to care about Rosie and to care about other kids crammed into classrooms across this country, classrooms that are too crowded, classrooms where learning isn't accomplished, where we know it can be accomplished if we have more teachers and reduce the size of the classroom. Isn't that the substance of this debate? Isn't that why it is important?

Mr. SCHUMER. Mr. President, I have to go to another meeting with folks from Binghamton, but the Senator is on the money again. We need to help improve our educational system. Instead of moving forward, this bill is a step backward on teachers and smaller class size, on school construction, afterschool programs.

I urge all of my colleagues, Republican and Democrat, in the Senate to reject this bill until it does good for education. I thank my colleague from North Dakota for bringing forward these points so eloquently and so forcefully.

With that, I yield back my time.

Mr. DORGAN. Mr. President, how much time remains on our side?

The PRESIDING OFFICER (Mr. GORTON). Eighteen minutes 24 seconds.

Mr. DORGAN. Mr. President, we are debating a continuing resolution for 3 weeks. The continuing resolution, which probably doesn't mean much to a lot of people, commonly called a CR here in Congress—means we continue

the appropriations level of those appropriated accounts that now exist for a time until the appropriations bills are debated and voted on by the Congress.

Normally, we should do that by September 30, and then, by October 1, the new fiscal year starts. When the new fiscal year starts, the new appropriations bills which we have passed come into effect and provide the funding. Because we have not passed, finally, between the House and the Senate, appropriations bills from the conference reports, we don't have funding that is assured for the coming fiscal year. Therefore, there will be a continuing resolution.

Why haven't we passed the appropriations bills coming out of a conference with the House of Representatives? The answer is, simply, we have not been able to do that because the money doesn't exist to fit all of the priorities in the budget that was passed by the Republicans this spring.

We can have a long debate about priorities: What is important and what isn't; what works, what doesn't; what we should do and what we should not do for the future of this country. Earlier this year, we had a debate in part about that with respect to the budget. I said then that 100 years from now, when we are all dead and gone, those who want to evaluate what we were about, what we thought was important, what our priorities were, can take a look at the Federal budget and evaluate what we decided to invest in, what we wanted to spend money on. Did we decide education was a priority, health care, health care research, food safety, or family farmers? Go down the list; there are literally hundreds of priorities. One could evaluate what people thought was important by evaluating what they decided to put in their budget and then what they decided to fund.

The two largest appropriations bills have been held until the end of this Congress because the money didn't exist to fund them. We have budget caps that everyone in this Chamber knows do not now fit. We finish appropriating money for defense and a number of other agencies and then come to the remaining appropriations bills and are told: You have to do a 17-percent, 27-percent, or 30-percent across-the-board cut in all of these other issues: education, health care, and more.

That is not something anyone would bring to the floor of the Senate. So we start doing creative financing. The majority party said: We can solve this problem by creating a 13th month.

That was one of the ideas last week or the week before. We can just describe a 13th month. If you could just have a 13th month, then you could move money around and pretend you had solved the problem.

Well, the Washington Post wrote about that and said "GOP Seeks to Ease Crunch with 13-month Fiscal

Year." That didn't work real well because nobody knew what to call it. Of course, folks immediately described it as smoke and mirrors and not a very thoughtful approach.

The Wall Street Journal wrote this article: "GOP Uses Two Sets of Books." It describes "double counting." Of course, that doesn't work real well either. Double entry bookkeeping doesn't mean you can use the same dollars twice. Some described a new accounting system using two sets of books. That hasn't turned out to work real well either.

Now we have what is called "virtual money." I heard somebody described funding for a "virtual university" that Governors want to create. I thought that was appropriate. We now have a "virtual funding" scheme for the largest appropriations bill. We will see how that works.

This process, at the end of this session of Congress, is about as disorganized and messy as any I have seen in the years I have served in Congress. This isn't the way to do the Senate's work or the country's work. The thoughtful way to do it is to pass appropriations bills, one by one, during this year when they should be passed, go to conference, reach accommodations and compromise between the House and Senate, between Republicans and Democrats, between the Congress and the President, and then fund the programs that are important for this country's future.

None of that is happening. Earlier today, the majority leader indicated on one of the very important appropriations bills that I care about—the Agriculture appropriations bill—that the conference was "ongoing." He said, in response to the Senator from Minnesota, the conference is underway. I pointed out that the conference isn't underway. I am a conferee. That conference hasn't met for a week.

I went back to my office after pointing that out to the majority leader and I read this memo that was sent to all conferees. This is from a staff person with the Republican majority on the conference dealing with agriculture. Mind you, there is not much that is more important as an issue to my State, North Dakota, than agriculture and the health of family farming. We face a very serious crisis with the collapse of grain prices, and dried up trade markets, and a whole range of issues, such as sprout damage with our grain, and just a range of issues. We are in a real crisis.

We passed a bill on August 4 in the Senate to try to respond to the needs of family farmers. Then, for 6 or 7 weeks, there was this foot dragging with nothing happening. We finally went to conference last week, and it was adjourned abruptly and there has been no meeting since.

The majority leader said the conference is meeting. It isn't meeting.

After I had that dialog with the majority leader, I received this today from a staffer, a Republican staffer, on the conference, apparently:

As of this morning, the Senate Majority Leader signed off on a package which was offered from the Speaker—

Speaker of the House—to resolve our stalled agriculture appropriations conference.

It is interesting that the majority leader signed off on a package offered by the Speaker. If that is so, I have not seen the package; I never heard of it. There have been no meetings. Is there a group in this Capitol that is deciding what is going to happen outside the purview of the conference? Does the majority leader plan to tell us what is in this package he signed off on? Is it his decision or the Speaker's decision that conferences do not matter anymore? Can they make decisions about family farmers, agriculture, disasters, and farm emergencies without including input from those of us who represent farm States? Is that what is happening?

It says:

The conference will not reconvene and all items are closed.

I am one of the conferees. We haven't met for a week. We are in the middle of a full-scale crisis and disaster on America's family farms. A week ago, we had 100,000 hogs floating dead in the Carolinas, a million chickens, untold cattle, crops devastated up and down the east coast from Hurricane Floyd. You think they don't have a disaster? You think they don't have a crisis? That needs to be addressed in this conference. How is it going to be addressed? Who is going to do it?

The conference was adjourned. Do you know why it was adjourned? Because some on the conference—on the Republican side in the House—didn't like what we did in the Senate with respect to embargoes on food and medicine. What we did, in a bipartisan way, with Senators ASHCROFT and DODD, was say that we ought not ever use food as a weapon again. We are sick and tired of it. Iran, Iraq, North Korea, Cuba, you name it—when you slap an embargo on countries that are not behaving well and you include in that the cut off of food and medicine to those countries, you shoot yourself in the foot. We all know it. We have known it for 40 years. This Senate, by 70 votes, said it is time to stop that—no more food embargoes or using food as a weapon.

Well, we got to conference and the Republicans on the House side didn't like that, and so they adjourned and haven't met since. Now I am told, by notification of a staffer, that the conference is over, the conference will not reconvene, all items are closed and, as of this morning, Senate Majority Leader LOTT has signed off on a package that was offered from Speaker HASTERT to resolve our stalled appropriations conference.

That is some bipartisan way to run a Senate or a Congress. It shortchanges America's family farmers, and it shortchanges those of us who serve here who are supposed to have an opportunity to serve on these conference committees. In my judgment, it really turns a blind eye to the needs of rural America.

We will discuss this at some greater length, but we have to do a continuing resolution now—that is what this debate is about—because this bill wasn't done. This bill wasn't done because we have been stalling for months and months because they didn't feel they had the money to do it. Then we have full-scale emergencies arise with the collapse of grain prices, Hurricane Floyd, a drought in some parts of the country, and, finally, it is decided we have to do some kind of a bill and then it gets into conference, and we have all these folks who can't decide to agree, so they just quit. The majority leader and the Speaker made a decision on how this is going to go, and they will bring it to the floor.

That is not satisfactory to me and my colleagues, a number of whom serve on this conference committee and have waited for that conference committee to be called back into session. That is not the way to do business. A CR is not the way to do business, and we all know it. I am not going to object to a 3-week continuing resolution. I will vote for it. I told Senator DASCHLE I will vote for it. But we all know it represents a failure of this Senate to get its business done on time, a failure of the Senate to describe the right priorities and support them.

I hope this is the last of those kinds of failures. I hope that at the end of 3 weeks, we will have had the opportunity to debate, offer amendments, and consider a range of opinions in this Chamber on a range of issues, going from education to farm policy, and more.

Mr. President, I yield the floor and suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I will use my leader time to address the pending issue for a couple of minutes.

It is with some reluctance that we find ourselves in a situation of having to support a continuing resolution for the next 3 weeks. Although most Democrats will support this resolution, I don't know that our caucus will be united in its support. And on behalf of those of us who are supportive, I think

it has to be said—and I haven't had the good fortune to hear any of the debate—we do so with great reluctance and great disappointment. We hope this will be the only CR that will be voted on and addressed this year.

Our Republican colleagues made three promises last spring. The first promise was, they would not use Social Security trust funds to pay for other government programs; the second promise was, there would be no lifting of the discretionary spending caps, that we could live within the caps we all agreed to in 1997; the third promise or commitment was, we would meet the deadlines.

We all understand the new fiscal year begins October 1, and we strive to complete our work by the first day of the new fiscal year. Here we are, a couple of days away from the new fiscal year, and what has happened? Our Republican colleagues told Members during the budget debate: No, we really don't want any Democratic amendments. We will do this on our own. We will pass a Republican budget—not a bipartisan budget but a Republican budget. That Republican budget passed without Democratic support and without Democratic involvement.

We then had a Finance Committee markup, and our Republican colleagues again said: No, we really don't want any Democratic input. We will pass a tax cut of a magnitude that goes way beyond anything the Democrats could support—recognizing it cuts into the very investments we have expressed so much concern about today, recognizing it cuts into Social Security as they promised they would not do.

Then we had the appropriations process. With the exceptions of the VA/HUD and defense bills, Democratic Members were largely shut out of the appropriations subcommittee markups, the full committee markups, and the conferences with the House.

We hate to say we told you so, but that is exactly where we are today: We told you so. We knew they could not do what they said they were going to do earlier this spring and this summer. We knew ultimately they would have to cut Social Security to get to this point, and they have. We knew they would probably be forced to increase the caps, and now they have admitted that is most likely what they will do. We knew they wouldn't make the deadline, and, unfortunately, that too has come to pass.

Our Republican colleagues are coming to the floor now asking we join with them in passing a continuing resolution to give them 3 more weeks in spite of the fact we were told they really didn't need our help this spring, they didn't need it this summer. In fact, one of the leadership in the House, Congressman DELAY, was quoted as saying: We are going to trap the Democrats. We are going to trap

them into recognizing they have to use Social Security. They have to break the caps.

I have to say, this is no way to legislate. The word I use to describe our current appropriations and budget circumstances is "chaos." In all the years I have been here, I don't recall a time when there has been greater appropriations disarray than there is right now. I frankly don't know whether we can put it back together in 3 weeks. But we ought to try. We know we cannot go home until this is done. We are hopeful.

I was a little concerned when the Speaker was asked, Will you shut the Government down? He said, I hope that won't be necessary, or something to that effect. I would have hoped there could have been a more definitive statement—that under no circumstances would the Government be shut down.

Our Republican colleagues are in a box. They violated their promises on Social Security and raising the caps and not meeting the deadlines. They can't mask it over now with some charade of bipartisanship when, up until this point, there has not been any.

Democrats have voted in good faith on many occasions, opting to move this process along with an expectation and hope that somehow in conference or at some point prior to the end of the fiscal year we could come together. That hasn't happened yet. As a result of our inability to come together, the President is now threatening to veto up to six of the thirteen appropriations bills. And after he vetoes them, then where are we?

This is a disappointing day. Republican responsibility day is October 1. Republican responsibility day is the day when we should all ask the question, Have the promises been kept? On Social Security, the answer is no. On keeping the caps, the answer is no. On meeting the deadline, the answer is no.

Now we are faced with an appropriations dilemma on education. They have cut education budgets by 17 percent. They are using a new, extraordinarily innovative approach to offsetting the shortfall in education by moving money we have already appropriated out of defense into education. They will then make defense whole again by declaring billions of defense spending an emergency. If that isn't the most extraordinary demonstration of flim-flam budgeting, I don't know what is.

This is quite a moment. We have not yet talked about education. We will save that for tomorrow. I am disappointed we have to be here today with the recognition that those promises have not been kept, that we do need a 3-week CR, that we are facing up to six vetoes, and that we haven't been able to come together as Democrats and Republicans in a bipartisan way to resolve these problems before it is too late.

I yield the floor.

Mr. CONRAD. Mr. President, I rise to talk about the budget gridlock we are now facing. We are considering a continuing resolution today because Congress has failed to do its job. Congress is supposed to pass the 13 appropriations bills by the new fiscal year. The fiscal year starts October 1. To date, only 1 of the 13 appropriations bills has been signed into law—1.

This is failure on a grand scale. If you look back over the last several years, in 1995, 5 appropriations bills had not been acted on and had to be wrapped into a year-end omnibus measure. In 1996, it went to 6 appropriations bills that had to be wrapped in one package, put on the desk of Members with no chance for review and voted up or down. In 1998, it was 8 appropriations bills that had not been acted on in a timely fashion, that had to be wrapped together. This year maybe we are headed for 12. I do not know. Maybe we can get some others done. But so far, only 1 of the 13 appropriations bills has been signed into law.

Does anyone see a pattern here? Does anyone see we have gone from 6 appropriations bills in 1996 not enacted to 8 in 1998 and now we have only 1 done on the eve of the new fiscal year? Our Republican colleagues who are in charge here, in the House and the Senate, bear responsibility for this failure to get the job done.

I must say, the other side promised very clearly three things. They said they would get the budget done on time this year. They failed. They said they would hold to the spending caps that were put in place by the 1997 bipartisan budget agreement. They failed. They said they would not raid Social Security. They failed. On each and every one of these counts, our Republican colleagues have gone back on what they promised. In each and every case, they have said one thing to the American public and done another thing in Congress.

I understand today they are getting really creative. Today, the Senate Appropriations Committee came up with \$15 billion for the Labor-HHS bill. Where did they get it? They borrowed it from the defense bill. That is a new tactic. We have already passed the Defense bill. That is not signed either, by the way. Now they decide to go and borrow from that bill, they will put it over in the Labor bill, they will spend it there, and then they will come careening back and say they need emergency spending for the Defense bill. All of a sudden everything is an emergency with our colleagues on the other side of the aisle.

There are things that really are emergencies. The agriculture situation facing this country, that is an emergency. Hurricane Floyd, that is an emergency. But our Republican colleagues are calling everything an emer-

gency. They are calling the census an emergency—the census. We do that every 10 years. We have done that since we started as a country and now they are calling that an emergency; something that was not foreseen, an emergency, something we did not know was coming.

I must say, the former House Appropriations Committee chairman, the former Speaker-to-be, Bob Livingston, said:

... the census has been with us since the conception of the Constitution of the United States. This is not an emergency.

He is right. This is not an emergency. Nor is it an emergency as they have now designated the LIHEAP program, that is low-income heating assistance. We have had that program for 20 years. Now they say that is an emergency.

Mr. President, we have heard a lot in the last few days. We heard we were going to a 13th month; that was going to solve the problem.

The PRESIDING OFFICER. The 1 hour of debate for the minority has now expired and 54 minutes 53 seconds remain to the majority.

Mr. CONRAD. I ask for 30 additional seconds, if I might, and ask for it to be added on both sides.

Mr. THOMAS. The request is for 30 seconds?

Mr. CONRAD. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, the other point that should be made is now our friends on the other side have started the raid on the Social Security trust fund. That is wrong. I had a reporter ask me: Senator, didn't you put them in this box a number of years ago during the balanced budget debate by insisting we not raid Social Security?

I said:

Absolutely, I am proud of it. We should not raid Social Security. If they want additional spending, they ought to pay for it. And they ought to do it without raiding Social Security. That ought to be a litmus test for any budget.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I would like to make a few comments about where we are, what we are faced with this afternoon, and what we are faced with over the next few weeks. We have heard, of course, a great deal from my friends on the other side of the aisle, some of which is a little hard to understand, I believe, but nevertheless I guess legitimate conversation.

We, of course, are prepared now to take a vote within the next hour, or less, on the idea of a continuing resolution. It is not a new idea. It is one that has been used a number of times. Would we all like to be through now? Of course we would. This matter of appropriations is a very difficult task.

I must tell you at the outset, one of the bills I have had in since I have been

in the Congress—I brought it with me from the legislature in Wyoming—says we ought to have a biennial budget. Instead of going through this every year, we ought to do it every 2 years: Budget 1 year, appropriations the other year, which would give us more opportunity to have the kind of oversight Congress is responsible to do, but we do not do that. We go through this each year. Unfortunately, the appropriations becomes kind of the direction for the Congress, which is wrong. It seems to me we ought to set our priorities, do that in the authorizing committees, and then we fund it.

The process, of course, is to have a budget. The budget was passed this year on time. The budget is designed to break down the total revenue, the total amount we are willing to spend, break it down by various subcommittees within the appropriations, and those are the amount of dollars with which each has to work. So we have done that, of course.

This is a pretty positive year in many ways. I certainly wish we were further along. I think everyone does for various reasons. I have a few ideas as to why we are not, I might say to my friends on the other side. But there are some positive things about which we ought to talk. How long has it been, I say to my friend, how long has it been since we have had a balanced budget? How long has it been since we have had income more than our expenditures? Has it been 25 years? Has it been 30 years? I think so. I think so. So this is kind of a positive thing about which we are talking.

This year's caps were less than last year's. Why? Because last year we took some out of this year to pay for it. This year's caps were less than last year's. I would like to stay with the caps; I voted for the caps. But when we bring up the kind of emergencies that my friend from North Dakota insisted on in agriculture—good idea? Sure. Nevertheless, that is over the caps, isn't it? That is an expenditure, and we have had a good deal of that.

We have some positive things. We will not get into Social Security. We have not gotten into Social Security. That is one of the things we are dedicated not to do. We had about \$14 billion, I believe, in this budget, that is not Social Security, and we are not going to spend Social Security. That is a commitment that we have.

What are the pressures? The pressures have constantly been, from the White House, from the other side of the aisle, for more spending. That is the principle of this administration: Spend more. Spend more taxes.

We are not willing to do that. On the contrary, we have been dedicated to keeping spending down, keeping Government size down. So it is not an easy project.

I am not an appropriator. I am not familiar with the processes that have

gone on internally within the committee. Talk about not being involved—I don't know that. But I do know this has been a very difficult task. I am told within these 13 bills, about 12 of them that have pretty much been completed on this floor are within the spending caps—except for the emergencies. Emergencies in military? Of course. Not a bad idea—Kosovo, all those kinds of things that were here to do something to strengthen the military, to which everyone on this floor agrees.

These are the kinds of things, certainly, that got us where we are. One of the reasons it has been difficult, of course, it has been hard to move things on the floor. We, just this last week, have gone through a couple of filibusters, as a matter of fact, in which the very folks who have been up this afternoon talking participated. That kept us for 2 or 3 days talking about MMS, Minerals Management Service. That is one of the reasons we are where we are. It has been difficult to move along that way. But that is the way a legislative body works.

We tried very hard to do some things to ensure Social Security would be kept as it was—the Social Security lockbox. How many times did we bring that up? There was unwillingness to accept it on the other side of the aisle. They did not want to do it, so we put that aside.

They have not been willing to talk about what we want to do with Social Security and individual accounts so that the money will be there.

When there is surplus money in this place, it will be spent. Could we get tax relief? No. No, our friends on the other side of the aisle did not want to do that; we ought to keep this money here so we can spend it. That is how we get into some of these things.

I am persuaded there has to be a system if you have excess money: You either have to get it out to people on Social Security, put it in those accounts, or you have to give it back to the people who paid it, if there is an excess amount of money.

No, they do not want to do that. What they want to do is spend more of it. That is where we got into this.

Gridlock? Yes, indeed, we have had some gridlock. I have been here for less than one term, but I do not believe I have seen as much gridlock as there has been this year in terms of bringing up amendments to bills we have had to take 2 or 3 days to deal with, constantly bringing up an agenda that was different from the agenda that was on the floor.

These are the things that, to me, certainly, have created difficulties in getting our task done. I agree, however, that is our task, that is what we are here to do, and I am disappointed we have not gotten it done by the end of the fiscal year. But we have not.

We are not going to allow ourselves to get into the position—I do not think anyone wants to have that happen—where there is a closure and a shut-down of the Government. Certainly we are not interested in allowing that to happen, or encouraging it to happen, or promoting an opportunity for it to happen. Indeed, we want to move forward with the appropriations as they should be dealt with, and we are persuaded that is the thing we are going to talk about doing.

Again, however, I do think there are some very positive things that have happened. For the first time in 25 years, we are not spending Social Security money, we are not spending deficit money in this budget. It has been a very long time since that has happened.

Mr. President, I suspect what we ought to do is move forward. I yield back the time allotted to the Members on this side of the aisle and ask—I was going to ask for the yeas and nays, but I don't think I can do that. I ask unanimous consent that the vote on adoption of House Joint Resolution 68 occur at 5:15 this evening and that paragraph 4 of rule XII be waived.

The PRESIDING OFFICER. The Presiding Officer, in his capacity as a Senator from the State of Washington, reserves the right to object and suggests the absence of a quorum. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. REID. Mr. President, as the fiscal year 2000 rapidly approaches, Republicans find themselves scrambling to pass appropriations bills before the October 1, 1999 deadline. Once again the majority has proven incapable of managing the appropriations process. Only four of the thirteen appropriations conference agreements have been completed, and the Labor-HHS-Education appropriations bill has yet to be voted on in either House. I recognize there is going to have to be some time so we can try to work out the differences.

What has gone on this past year is something about which we need to talk. We know they have put the most important of the 13 appropriations bills, Labor-HHS, at the bottom of the totem pole. Instead of doing this bill first, a bill that is vital to our country in dealing with health research and education, it has been put at the bottom. I do not think that is appropriate.

They have done all kinds of things: The majority has added a 13th month to the fiscal year. They are talking about delaying tax credits for low-income Americans. They are trying to spread 1 year's funding over 3 years.

They are talking about making certain things an emergency, such as the census. This is just nonsensical.

I suggest that putting off for 3 weeks decisions we are going to have to make is unnecessary. The majority has consistently failed to finish their work on appropriations bills. The Senator from North Dakota, Mr. CONRAD, has done an excellent job of illustrating this point. We had two Government shut-downs in 1995, and this year, rather than developing legitimate spending offsets to increase funding available for the next fiscal year, we have come up with all these gimmicks.

It is like a Ponzi scheme, a pyramid scheme, which, if you did outside the Halls of Congress, is illegal. We have developed a massive Ponzi scheme while ignoring all of the budget rules. What they are driven toward and are already looking for is to spend Social Security money even though the talk is different. They are trying to spread this funding over 3 fiscal years, adding a 13th month, declaring things emergency that really are not emergencies, and waiting to do the most important bill the last, Labor-HHS. This is a Ponzi scheme, a pyramid. It is a house of cards that is just about to fall.

We keep delaying this. We have to sit down and work out our differences. We have to do the business of this country, and that means passing the appropriations bills in this body, finishing the conferences quickly, and getting the President to sign these bills.

If we have to do a continuing resolution that takes us through the year on some or all of these appropriations bills, we have to get to that right now. We have spent a lot of time treading water and going nowhere. Extending this funding for 3 weeks is doing just that, it is treading water.

We have to start doing something that is meaningful, and that means making tough decisions. Tough decisions, is not extending the year for another month. It is not declaring things like the census an emergency. It is not using welfare moneys that the Governors have kept to offset the problems we are having here. The Governors should be able to use that money any way they want. And there are many other things they have attempted to do in an effort to avoid the tough decisions. The tough decisions have to be made. They should be made now rather than prolonging this for 3 weeks.

Mr. President, has there been a time set for a vote?

The PRESIDING OFFICER (Mr. SMITH of Oregon). Not yet.

Mr. GORTON. Mr. President, I yield such of the Republican time to myself as I may use. And for the information of the Senator from Nevada, I believe I may be the last speaker on this side, and I have been instructed, unless someone else on this side comes to speak later, when I have finished, to

yield back the remainder of our time, and we will vote then, which probably means a vote before 5:30.

Mr. REID. The minority's time is all used.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, yesterday in this Chamber, I was engaged in what I believe was a debate on a fantasy. The minority party spent a great deal of time debating two resolutions on education, one proposed by their side and one proposed by our side, with the resolution proposed by their side based on the proposition that Republican appropriations bills were going to reduce the amount of money spent on education from last year by some 17 percent.

That resolution was long and detailed, and "17-percent cut," "17-percent reductions" appeared all the way through it.

I say this was a fantasy debate because by the time the debate began, every member of the Appropriations Committee knew that not only was education not being reduced in the Republican proposal but it was being rather significantly increased, in fact, being increased by some \$500 million more than the amount for education recommended by President Clinton in his budget at the beginning of this year. So there was the exercise of a process of beating a dead horse for at least an hour on the other side of the aisle before we voted on our respective proposals.

There was a significant second difference in that debate over education that was not a fantasy and was not beating a dead horse because the Democratic proposal was that we do more of the same thing that we have been doing the last 30 years with respect to our Federal involvement in education, without any particular or notable success, while we on our side were proposing not only that we focus more of our attention in dollars on education but that we begin to trust the parents and professional educators and principals and superintendents and elected school board members across the United States of America to make the decisions about the education of their children, which they have devoted their lives to doing, rather than making all of these decisions and saying that the same rules should apply to a rural district in North Carolina as apply to an urban district in Massachusetts.

That is a real debate. It is a debate which I suspect we will be engaged in tomorrow when we take up the appropriations bill for Labor-Health and Human Services, and it is a debate in which we will be engaged in, in an even more spirited fashion, when we come up to the renewal of the Elementary and Secondary Education Act.

But in the course of the last hour, it seems to me, we have been engaged in

another fantasy debate. The minority leader, and several of his members, have been on the floor making a number of statements that have very little relationship to the reality that is before us at the present time. They said, among other things, that they were cut out of the debate on a budget resolution. They were not. They voted against a budget resolution, not on the grounds of its spending policies but because they were vehemently opposed to any tax relief for the American people, tax relief which we desired to give to the American people.

At one level, we won that debate. We passed significant tax relief for a wide section of the tax-paying people. It has been vetoed by the President. So at that level, at least, they ultimately won. That money will come to the Treasury of the United States and will stay in the Treasury of the United States.

But they also said, now that they got their way, now that there was no 17-percent reduction in spending on education—always a fantasy—now that we are spending so much, we are raiding the Social Security trust fund.

I am here to say these appropriations bills do not eat into the Social Security surplus. They do, in fact, eat into some of the non-Social Security surplus, not only for the year 2000 but probably for the year 2001 as well. But they are within the estimates of those non-Social Security surpluses in the years in which all of the moneys in these appropriations bills will, in fact, be spent.

That criticism, that we are raiding the Social Security trust fund, while it has no statistical validity, would at least have a certain degree of moral caution attached to it had we, during the course of the last several weeks, in debating appropriations bills, heard from a single Member of the other side that we were spending too much. But we did not hear that at all.

In fact, an hour or so ago, when the Appropriations Committee was approving this large bill for Labor and Education and Health, the only significant Democratic amendments were to spend more money, without any offsets whatsoever. So the cries that somehow or another we are breaking caps that that side did not want to break or that we are raiding the Social Security trust fund by spending too much money are in direct contradiction—as rhetoric—to the actions that, in fact, have taken place by the minority party, which consistently has said, if anything, not that we are spending too much money this year but that we are spending too little.

I have no doubt that within a few days the President of the United States, backed by many Members on that side, will say; yes, we need to spend even more money. If the President vetoes some of these bills, his veto

will likely be based on the fact that we are not spending enough. And, in fact, he will ask us to increase taxes, having vetoed the opportunity to provide some tax relief for the American people.

Finally, we have heard complaints about the fact that we have not yet completed all of our work on appropriations bills. That is true; we have not. In fact, in the last 20 or 25 years, we have only done that on one occasion. If, however, within 2 days, we complete action on the 13th and last of these appropriations bills, at least the Senate will have passed its versions of all of these bills before the end of the fiscal year.

I had to manage one of those bills, one of the smaller of the bills, the one dealing with the Department of the Interior and other similar agencies. While it was spasmodic and interrupted by debate on other matters, we began the debate on that bill in the first week of August and ended it last week. Why did it take so long? Because one single amendment literally was filibustered by a Member on the other side of the aisle—unsuccessfully, as it turned out—delaying the passage of that bill by a good 2 weeks, and making it certain that—just physically—we cannot settle our differences with the House, modest though they are, in time to send such bill to the President of the United States by the day after tomorrow.

Nor has this Senator noticed that Members of the other party were not consulted or did not participate in the drafting of all of these appropriations bills. The overwhelming bulk of them in this body—perhaps not in the House of Representatives—were drafted in a collegial and bipartisan fashion by the Appropriations Committee and were supported by most of the members of both parties in almost every single instance.

Three or 4 hours ago, we passed a final conference report on the energy and water appropriations bill by a vote of 96 to 3.

Mr. President, does that sound like a partisan exercise in the deliberations in which one of the parties was excluded?

The Senate version of the Interior bill passed last week, if memory serves me correctly, by a vote of something like 87 to 10. I pride myself, as the chairman of that appropriations subcommittee, in consulting with members of both parties, listening to their priorities, and meeting their priorities to the maximum possible extent. It was in no way a partisan exercise. Last Friday, a much larger and more controversial bill on the Veterans' Administration and the Department of Housing and Urban Development was passed by a voice vote. No one even bothered to ask for a rollcall because agreement on that bill was so widespread.

Yes, it is too bad we have to pass a 3-week continuing resolution at the

present time. It is too bad there are differences between the House and the Senate. It is too bad there are such disagreements between the President and the Congress. That is the way we arrive, in a society such as this, at appropriate answers to all of these questions. It is a long way from being unprecedented. With any luck, this year, we won't have one agglomeration, one huge bill that no Member understands at the end of this process, but we will deal with 13 individual appropriations bills for determining the priorities of the United States.

Tomorrow, we will once again be engaged in a debate on education, among other subjects. I hope that debate will be more realistic than the debate that took place yesterday, that had no relationship to reality whatsoever, in connection with the basis for the Democratic resolution on the subject.

I hope it will be on a serious subject matter, not just of the amount of money we in the United States are going to devote to education—though that is vitally important, and this bill is quite generous in connection with it—but on the way in which that money ought to be spent. It ought to be spent in a way that increases the student performance of the children in the United States in our schools through grade 12 all the way across the board.

We ought to have the imagination to revise a system that has not been a notable success by any stretch of the imagination and go forward to a new system that looks not at forms to be filled out by school districts all across the country, not at the presumed wisdom of 100 Members of this body, many of whom seem to think they know more about education than the professionals who deal with it every day, but one that trusts in the genius of the American people and the dedication of the American educational establishment to make their own decisions in communities all across the United States of America about what may very well be the most important of all of our social functions—the education of the generation to come.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I thank the Senator, who is very knowledgeable and, of course, is involved. I want to talk about an interesting thing that has to do with the last year Democrats were in charge of the majority—fiscal year 1993. I don't think it is an excuse, but I think it is interesting, given all the conversation we have had.

These are the dates that the appropriations bills were passed in 1993: The foreign assistance bill was passed in the Senate on September 30 and approved on September 30; the legislative branch bill, of course, which has to do with operating the Congress, was

passed early, August 6, and approved on August 11; Treasury-Postal was approved in the Senate October 26 and signed on October 28—this, of course, was the same fiscal year we are dealing with now—Energy and Water was passed on October 26, signed on October 27.

This was the year the Democrats were in the majority. This is the kind of thing they are talking about today.

Military construction was passed in the Senate on October 19, signed on October 21; VA-HUD, October 28, when it was approved; District of Columbia, October 29; Agriculture, October 21; Labor, Health and Human Services, Education, October 21; Commerce, Justice, and State, October 27; Interior, passed November 11 and signed; emergency supplementals, of course, were before that; Transportation, October 27; Defense, November 11; the continuing resolution, the first one, on September 30, and a further continuing resolution on October 29.

This was 1993. The Democrats were in the majority. The idea of a continuing resolution is not a brand new idea.

Mrs. LINCOLN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, I ask unanimous consent to address the Senate for 3 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Mr. President, I ask that the vote occur immediately following the comments of the Senator from Arkansas.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The Senator from Arkansas is recognized.

Mrs. LINCOLN. I thank the Senator.

Mr. President, I am here to express my disappointment in this process and the vote we are about to cast this afternoon. I will probably vote for the continuing resolution because I don't want to shut down the Government. I will also probably vote with the expectation that we will get our work done in the 3 following weeks. I am not happy about it, and I don't believe we have fulfilled our obligation and commitment to the American people.

For over 200 years, it has been the responsibility of Congress to pass the 13 appropriations bills that make the Federal Government tick. It is our only constitutionally mandated responsibility, the only thing we absolutely have to do.

We have had 9 months. In the same amount of time, I produced twins. It wasn't easy, but we did it. My chief of staff, unfortunately, had an accident at Christmas, has been through two major surgeries, and has made a resounding comeback, unbelievably. My legislative director has gotten married. She has

finished law school and bought a home in those 9 months. Amazing things can be done if one actually works at them.

I came to Washington, sat through an impeachment trial, bought a house, and moved two 3-year-old boys, one husband, and a dog to Virginia so I could work in the Senate. It is time to get down to work.

I fully expect us to end this monkey business. To pass fair, thought-out appropriations bills within the next 3 weeks is certainly not something we should take for granted.

I will not support an omnibus appropriations package similar to the one passed last year. One of the most frightening stories I heard, when I first arrived in the Senate, was the process that happened in the last few days of the session last year when only a couple people came around a table and decided the budget for this entire Nation without the assent of all of those who should have been at that table. What an irresponsible way for us, as Government, to work on behalf of the American people.

This way of governing is absolutely irresponsible, ineffective, and it is not what I came here to do. I imagine many of my colleagues did not come here to act in such an irresponsible way. To do so is to sell the American people down the river. I hope my colleagues will put politics aside and get our business done, the only constitutional responsibility that we have in this body; that is, to take care of the American people's business.

I thank the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have listened to the comments on the other side of the aisle about the management of things around here and how we could not get this bill finished on time and what a mess everything is. I remind Senators, obviously, we are going to have to make some major change beyond the process we have because it might startle some to know that since 1950—that is almost 50 years—we have completed our appropriations bills on time twice—twice.

What is all the talk about? Since 1950, that side of the aisle has controlled the Senate three-quarters of the time. So three-quarters of the time since 1950, all the appropriations bills—including Labor, Health, and Human Services—have been completed twice on time and sent to the President.

I submit, if my colleagues want to get things done on time, let's change the process and let's not do it every year; let's do it every 2 years. At least if we go over, we will be all right for 2 years rather than have it right back in our laps in 6 months, doing it all over again.

In addition, I heard from the other side of the aisle some comments about how difficult it was to meet the caps,

how difficult it was not to take any money from Social Security, as if it were a Republican problem. One Senator—I will not use names, but the Senator who mentioned that was a Senator who came to the floor and asked for \$8 billion on an emergency basis for the farm problem in America.

If my colleagues are wondering how come we have a difficult time, it is because somebody comes down and adds \$8 billion that we did not expect to spend and we have to accommodate in some way so we do not use Social Security money, and that does not make it any easier.

I am not objecting to that. It will probably come out of the Senate and House before long at \$7 billion, \$7.5 billion, and an overwhelming number of House Members and Senators will think it is right. I am suggesting it is not always those who are trying to manage things on the majority side who cause the problems that make it difficult to get things done.

I do not choose to go beyond that. The President submitted a budget to us that was totally in error of the budget caps. It used Social Security money. And then we are criticized because we are having a difficult time dealing with it. The President had new taxes he added and then spent them in his bill. We have chosen to have a policy of no new taxes to meet our appropriations bills.

There are a number of things the President did that we cannot do. Here is one: The President is talking about Medicare, saying we ought to reform it before we have a tax cut for the American people. The President had \$27 billion of cuts in Medicare in his budget. He did not tell us about that. We told you about that. It is long forgotten. In fact, the number may be higher. It may be 35. Anyway, it is 27 or more.

We had to pay for that in our budget; it was not the right thing to do. The President might have thought so, but nobody in the Congress did. It has not been easy.

Nonetheless, we are going to have a pretty good year. We are going to have a pretty good year because when we are finished, we will have dramatically increased defense, and part of it will be an emergency because that is what it is. We will get all the appeals done and some of the advance funding that is legitimate and right.

The President had \$21 billion in advance funding, and now there are people on the other side wondering what that is, as if we invented it. It has been around for a long time. In fact, there is \$11 billion of it in the budget we are living with right now, which means nothing more than, you account for the money in the year in which you spend it rather than the year in which you appropriate it. We will have some of that, too—maybe as much as the President had; I don't know. But how are we

going to meet these targets if we are not permitted to do that, when the President is challenging us that we are not doing what he wanted us to do—that is his big challenge. How can we do that?

I yield the floor.

DEPARTMENT OF INTERIOR FUNDING

Mr. NICKLES. I would to address a question to my friend from New Mexico, the chairman of the Senate Budget Committee. This continuing resolution essentially funds government programs and operations at fiscal year 1999 levels under the authority and conditions provided in the applicable appropriations Act for fiscal year 1999. Since Congress has not yet completed its work on the fiscal year 2000 Interior and Related Agencies appropriations bill, I would conclude that Department of Interior agencies, programs and activities will be funded under this resolution at fiscal year 1999 levels under the policies and restrictions in effect during fiscal year 1999.

Mr. DOMENICI. I thank the Senator from Oklahoma for his question. I too believe that this resolution will allow Interior Department funding to be continued at fiscal year 1999 levels in accordance with fiscal year 1999 policies through October 21, 1999.

Mr. NICKLES. I thank the Chairman.

Mr. THOMAS. Mr. President, I ask for the yeas and nays on H.J. Res. 68.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, shall it pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative assistant called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 296 Leg.]

YEAS—98

Abraham	Burns	Domenici
Akaka	Byrd	Dorgan
Allard	Campbell	Durbin
Baucus	Chafee	Edwards
Bayh	Cleland	Enzi
Bennett	Cochran	Feingold
Biden	Collins	Feinstein
Bingaman	Conrad	Fitzgerald
Bond	Coverdell	Frist
Boxer	Craig	Gorton
Breaux	Crapo	Graham
Brownback	Daschle	Gramm
Bryan	DeWine	Grams
Bunning	Dodd	Grassley

Gregg	Leahy	Santorum
Hagel	Levin	Sarbanes
Harkin	Lieberman	Schumer
Hatch	Lincoln	Sessions
Helms	Lott	Shelby
Hollings	Lugar	Smith (NH)
Hutchinson	Mack	Smith (OR)
Hutchison	McConnell	Snowe
Inhofe	Mikulski	Specter
Inouye	Moynihan	Stevens
Jeffords	Murkowski	Thomas
Johnson	Murray	Thompson
Kennedy	Nickles	Thurmond
Kerrey	Reed	Torricelli
Kerry	Reid	Voinovich
Kohl	Robb	Warner
Kyl	Roberts	Wellstone
Landrieu	Rockefeller	Wyden
Lautenberg	Roth	

NAYS—1

Ashcroft

NOT VOTING—1

McCain

The joint resolution (H.J. Res. 68) was passed.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 761

Mr. ABRAHAM. Mr. President, I ask unanimous consent that the majority leader, after consultation with the Democratic leader, may proceed to the consideration of Calendar No. 243, S. 761, under the following limitations: There be 1 hour for debate equally divided in the usual form and the only amendment in order to the bill be a managers' substitute amendment to be offered by Senators ABRAHAM and LEAHY. I further ask consent that following the use or yielding back of time and the disposition of the substitute amendment, the committee substitute be agreed to, as amended, the bill be read a third time, and the Senate proceed to a vote on passage of S. 761, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, reserving the right to object, I ask my colleague from Michigan whether or not this unanimous consent request can be modified to include other amendments; for example, some amendments that deal with how we improve farm policy or amendments on minimum wage?

Mr. ABRAHAM. Mr. President, at this time I cannot agree to such a modification.

Mr. WELLSTONE. Mr. President, if that is the case, as I explained to the majority leader earlier, I am determined that I am going to have an opportunity as a Senator from Minnesota